

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment.

(4) February 1, 1976—Complete on-site construction or installation of emission control equipment.

(5) July 1, 1976—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(f) Paragraph (e) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after March 1, 1976. If promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(g) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (e) of this section fails to satisfy the requirements of §§51.261 and 51.262(a) of this chapter.

(h) Any gasoline-dispensing facility subject to this section that installs a storage tank after the effective date of this section shall comply with the requirements of paragraph (c) of this section by March 1, 1976 and prior to that date shall comply with paragraph (e) of this section as far as possible. Any facility subject to this section that installs a storage tank after March 1, 1976, shall comply with the require-

ments of paragraph (c) of this section at the time of installation.

[38 FR 31251, Nov. 12, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.255, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.256 Control of evaporative losses from the filling of vehicular tanks.

(a) "Gasoline" means any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(b) This section is applicable in the Metropolitan Los Angeles and Sacramento Valley Intrastate Air Quality Control Regions, except as follows:

(1) In the following portions of the Metropolitan Los Angeles Intrastate Region, this section is rescinded.

(i) South Coast AQMD.

(ii) Santa Barbara County APCD.

(2) In the following portions of the San Joaquin Valley Intrastate Region, this section is rescinded.

(i) Kings County APCD.

(3) In the following portion of the Sacramento Valley Intrastate Region, this section is rescinded.

(i) Sacramento County APCD.

(ii) El Dorado County APCD (Mountain Counties Air Basin portion).

(iii) Placer County APCD (Mountain Counties Air Basin portion).

(c) A person shall not transfer gasoline to an automotive fuel tank from a gasoline dispensing system unless the transfer is made through a fill nozzle designed to:

(1) Prevent discharge of hydrocarbon vapors to the atmosphere from either the vehicle filler neck or dispensing nozzle;

(2) Direct vapor displaced from the automotive fuel tank to a system wherein at least 90 percent by weight of the organic compounds in displaced vapors are recovered; and

(3) Prevent automotive fuel tank overfills or spillage on fill nozzle disconnect.

(d) The system referred to in paragraph (c) of this section can consist of a vapor-tight vapor return line from the fill nozzle/filler neck interface to the dispensing tank or to an adsorption, absorption, incineration, refrigeration-condensation system or its equivalent.

(e) Components of the systems required by paragraph (c) of § 52.255 can be used for compliance with paragraph (c) of this section.

(f) If it is demonstrated to the satisfaction of the Administrator that it is impractical to comply with the provisions of paragraph (c) of this section as a result of vehicle fill neck configuration, location, or other design features for a class of vehicles, the provisions of this paragraph shall not apply to such vehicles. However, in no case shall such configuration exempt any gasoline dispensing facility from installing and using in the most effective manner a system required by paragraph (c) of this section.

(g) Compliance schedule:

(1) January 1, 1975—Submit to the Administrator a final control plan, which describes at a minimum the steps that will be taken by the source to achieve compliance with the provisions of paragraph (c) of this section.

(2) March 1, 1975—Negotiate and sign all necessary contracts for emission control systems, or issue orders for the purchase of component parts to accomplish emission control.

(3) May 1, 1975—Initiate on-site construction or installation of emission control equipment. Compliance with the requirements of paragraph (c) of this section shall be as soon as practicable, but no later than specified in paragraphs (g) (4) and (5) of this section.

(4) May 1, 1977—Complete on-site construction or installation of emission control equipment or process modification.

(5) May 31, 1977—Assure final compliance with the provisions of paragraph (c) of this section.

(6) Any owner or operator of sources subject to the compliance schedule in this paragraph (g) shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(h) Paragraph (g) of this section shall not apply:

(1) To a source which is presently in compliance with the provisions of paragraph (c) of this section and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever sup-

porting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator, by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977. If promulgated by the Administrator, such schedule shall satisfy the requirements of this section for the affected source.

(i) Nothing in this section shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (g) of this section fails to satisfy the requirements of §§ 51.261 and 51.262(a) of this chapter.

(j) Any gasoline dispensing facility subject to this section that installs a gasoline dispensing system after the effective date of this section shall comply with the requirements of paragraph (c) of this section by May 31, 1977, and prior to that date shall comply with paragraph (g) of this section as far as possible. Any facility subject to this section that installs a gasoline dispensing system after May 31, 1977, shall comply with the requirements of paragraph (c) of this section at the time of installation.

[38 FR 31251, Nov. 12, 1973, as amended at 39 FR 4881, Feb. 8, 1974; 39 FR 21053, June 18, 1974; 46 FR 5979, Jan. 21, 1981; 46 FR 60203, Dec. 9, 1981; 47 FR 19332, May 5, 1982; 47 FR 19698, May 7, 1982; 47 FR 28622, July 1, 1982; 47 FR 29538, July 7, 1982; 51 FR 40676, Nov. 7, 1986]

EDITORIAL NOTE: The compliance dates given in paragraphs (g) (1) through (3) were deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§§ 52.257—52.262 [Reserved]

§ 52.263 Priority treatment for buses and carpools—Los Angeles Region.

(a) Definitions: (1) "Carpool" means a vehicle containing three or more persons.

(2) "Bus/carpool lane" means a lane on a street or highway open only to buses (or to buses and carpools), whether constructed especially for that purpose or converted from existing lanes.